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~~SECRET~~ AMENDMENT No. 1611

On page 7, between lines 13 and 14, insert the following new section:

PROHIBITING POLICE TRAINING

SEC. 10. (a) Chapter 3 of part III of the Foreign Assistance Act of 1961 is amended by adding at the end thereof the following new section:

"SEC. 659. (a) Prohibiting Police Training.—None of the funds made available to carry out this or any other law, and none of the local currencies accruing under this or any other law, shall be used to provide training or advice, or provide any financial support, for police, prisons, or other internal security forces of any foreign government or any program of internal intelligence or surveillance on behalf of any foreign government within the United States or abroad.

"(b) Subsection (a) of this section shall not apply—

"(1) with respect to assistance rendered under section 515(c) of the Omnibus Crime Control and Safe Streets Act of 1968, or with respect to any authority of the Drug Enforcement Administration or the Federal Bureau of Investigation which relates to crimes of the nature which are unlawful under the laws of the United States; or

"(2) to any contract entered into prior to the date of enactment of this section with any person, organization, or agency of the United States Government to provide personnel to conduct, or assist in conducting, any such program.

Notwithstanding clause (2), subsection (a) shall apply to any renewal or extension of any contract referred to in such paragraph entered into on or after such date of enactment."

(b) Section 112 of such Act is repealed.

On page 7, line 16, strike out "Sec. 10" and insert in lieu thereof "Sec. 11".

Executive Branch Position
Amendment No. 1511
(Abourezk Amendment)

The proposed amendment would add a section 659 to the Foreign Assistance Act prohibiting the use of funds under any provision of law for the training of foreign police both within the United States and abroad.

Executive Branch Position: The Executive Branch opposes this amendment.

Discussion: All of the police training activities conducted abroad and funded under the Foreign Assistance Act (the FAA) have been eliminated in accordance with the 1973 amendments to the FAA. The proposed amendment would end all training of personnel presently being conducted in the United States.

The principal aim of the amendment is to terminate the International Police Academy. At the present time the IPA annually trains approximately 600 foreign police officers from less developed countries in a variety of courses and curricula.

Terminating the IPA will destroy the last channel through which training, skills, and, most importantly, a sense of professionalism are passed to police officers from the LDCs. The academy is the only institution in the world devoted solely to the training of policemen from emerging nations. As such it serves as an important conduit for advice and influence in the development of democratically oriented police forces. Its destruction would eliminate the only means by which the U.S. can assist and influence the development of such police forces.

Its critics argue that the knowledge and techniques taught at the IPA are used to prop up repressive regimes and suppress opposition. A constant theme running throughout the IPA program is the value and effectiveness of humane law enforcement -- of the observance of human rights. For example, students at the Academy are shown non-lethal techniques for controlling crowds in an effort to supplant the harsher traditional methods. Similarly, every course offered by the IPA stresses the professional and ethical responsibility to enforce the law humanely and without prejudice.

The IPA provides alternatives to repression while at the same time stimulating a non-partisan, highly professional attitude. If repression occurs, it occurs in spite of IPA training, not because of it. Traditions of brutality and repression are not

easily overcome. Nonetheless, despite its size and time limitations, the IPA has gone a long way toward raising the standards of professionalism and respect for civil liberties in the police forces in many less developed countries.

The elimination of all AID-funded training would severely hinder major efforts presently under way to develop the capability of recipient countries to control narcotics traffic and international terrorism. At the present time a significant proportion of Academy students are enrolled in the narcotics management curriculum, a series of courses designed to improve the ability of police forces around the world to control the flow of illicit and dangerous drugs. The 1974 A.I.D. funds enabled 160 foreign police officers to receive training at the Academy in the techniques for fighting narcotics trafficking.

In recent years, in response to the dramatic increase in acts of international terrorism, the IPA has begun to offer courses in subjects such as the identification of explosives, protection of foreign dignitaries, anti-kidnapping and anti-air hijacking tactics. The training provided by these courses has resulted in a greatly expanded ability on the part of these police forces to deal with terrorism. At least one airline hijacking and one terror bombing were foiled due directly to the training offered by the IPA.

★ With respect to non-FAA funded programs, the language of the amendment is not precise, but it appears to impair a variety of other activities vital to the national interest. Military assistance and credit sales may be affected, with regard to countries whose military personnel serve as national police. Military training and advisory efforts may also be impaired. Finally, the amendment may bar routine sharing of information on international crimes, hijackings, terrorist activities, and the like.

Additionally, State Department Security officials and those of the Federal Aviation Administration need to work closely with and provide training for police officials in matters of security for U.S. officials and for airport security and protective measures against skyjacking. These efforts would be proscribed by the amendment.

*Added after
approved - suggested by
DP*

July 31, 1974

CONGRESSIONAL RECORD—Extensions of Remarks

The review board procedure basically involves a written request for a hearing, a statement indicating what the veteran wants corrected in his or her record, and the reasons for the correction or modification. Attorneys also submit other documents to support the veteran's claim.

Members of the review boards are either active duty officers or civilian government officials with expert knowledge of military discharge classification procedures. A board examiner presents the case to the review board and the veteran's attorney is usually required to be present to answer questions.

The Vietnam War is over for most veterans, but those who came home with less than honorable discharges wage a never ending battle for economic and psychological survival, a battle perpetuated by the blotch on their military records. For veterans who feel that they received an unjust discharge, the legal profession should attempt to satisfy the right to legal counsel by having the knowledge necessary to represent them. A veteran needs and deserves his day in court.

GLENN HALSEY, MEMBER OF GRAYSON COUNTY, VA., BOARD OF SUPERVISORS, ENDORSES LEGISLATION TO SAVE THE NEW RIVER

HON. WILMER MIZELL

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 31, 1974

Mr. MIZELL. Mr. Speaker, one of the main reasons that I have worked to see that the New River be studied for possible inclusion in the Wild and Scenic Rivers System is that through this legislation the people that are affected will be directly heard. The Department of Interior's regulations provide that public hearings be conducted in the area, and not just in Washington, D.C., or an area which is inaccessible to most of the citizens.

A major complaint on the Federal Power Commission when it considered the proposed Blue Ridge power project was that it had not made itself available to hear testimony in the affected area. Just one public hearing in the area was held, and it was in Beckley, W. Va., some 144 miles from the project area. This made it nearly impossible for local citizen participation due to the difficulty in travel and location.

Mr. Glenn Halsey, a member of the Grayson County, Va., Board of Supervisors, made an eloquent plea for such public hearings in his testimony before the House Interior and Insular Affairs Subcommittee on National Parks and Recreation. For the benefit of my colleagues, I submit the text of his testimony:

TESTIMONY OF MR. GLENN HALSEY

My name is Glenn Halsey. I am a member of the Grayson County Board of Supervisors serving as Chairman of that Board from 1959 to 1971. The major flaw of New River is through my district and the most devastating destruction of farm lands and dislocation of schools, churches and roads will be in my district.

Throughout the years I have had the full support of my constituents in opposing the impounding of New River for the purposes of flushing out the Kanawha River for the relief of the chemical companies around

Charleston. Now that has been swept under the rug and we are asked to believe that the project is needed to meet peak demands for electric power. All the time, even now, the Power Company says there is a shortage in their system, no brown-outs and they continue to advertise to solicit more use of power.

We have appealed to our State and Federal officials to help us and are told over and over again that the responsibility for the project lies in the Federal Power Commission and before the Administrative Law Judge. We beg our State and Federal officials to convene hearings at Wilkesboro Federal Courthouse or Abingdon Federal Courthouse in order that the people may be heard rather than the lawyers. One hearing was held at Beckley, West Virginia, a long, hard days travel from Grayson and Ashe. I attended.

My district joins Ashe and Alleghany; my problems are the same as theirs. We are thankful that we have voices strong and courageous enough to speak for us in Washington—even if we are not your constituents, we are one people trying to save an eternal river.

Mr. Chairman, we urge support of this bill to include the New River in the Wild and Scenic Rivers System for study. Maybe while that is being done we can get the support of our representatives in the Congress.

Mr. Chairman, I ask for leave to file, prior to June 13, 1974, certain supplemental data and documents relating to the statements I have made.

Thank you.

HARRINGTON AMENDMENT TO CLARIFY POLICE TRAINING PROHIBITION

HON. MICHAEL HARRINGTON

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 31, 1974

Mr. HARRINGTON. Mr. Speaker, tomorrow, as the Foreign Affairs Committee continues markup on the Foreign Assistance Act, I intend to offer an amendment to clarify the prohibition on police training contained in section 112 of the Foreign Assistance Act. This amendment would resolve the ambiguities now in the statute, while preserving and strengthening the intent of Congress as expressed in 1973.

Currently, section 112 states that no part of the appropriations made available to carry out the act, including Agency for International Development and military assistance program funds, shall be used to "conduct any police training or related program in a foreign country." However, the term "police training or related program" is not defined in the section. The imprecision of this term has left the act open to differing interpretations, and has allowed for the continuation of programs which appear to circumvent the intent of Congress.

It seems clear that in section 112 Congress intended to end the American subsidization of all training programs in foreign countries which involve instruction of policemen in the skills and tactics normally associated with police operations. The committee report accompanying the Senate version of the For-

eign Assistance Act of 1973 states plainly of this section:

United States participation in the highly sensitive area of public safety and police training unavoidably invites criticism from persons who seek to identify the United States with every act of police brutality or oppression in any country in which this program operates. It matters little whether the charges can be substantiated, they inevitably stigmatize the total United States foreign aid effort.

In its approval of section 112, Congress appears to have expressed the philosophy that interference with the domestic law enforcement policies of foreign nations is not a proper aim for American assistance programs. Although it seems obvious that Congress intended to halt police training programs in foreign countries, the lack of precision in the wording of section 112 has allowed for the continuation of programs which circumvent this intent. Currently, at the Army School of the Americas, a Defense Department training school in the Panama Canal Zone, 1,340 military troops from 16 Latin American nations, partially supported by MAP funds, are being instructed in areas such as "urban counterinsurgency," "urban counterinsurgency operations," "internal development civic action," and "internal security operations." These courses seem to be providing the kind of knowledge and skills that can be used for police-type operations.

The Department of Defense has issued a memorandum (unclas 8226) containing its interpretation of section 112, which indicates how the intent of Congress has been misconstrued to allow for the continuation of these programs:

Assistance in foreign countries under the Foreign Assistance Act for all phases of civilian law enforcement (other than narcotics control) is prohibited. "Law enforcement" includes apprehension and control of political offenders and opponents of government in power (other than prisoners of war) as well as persons suspected of commission of so-called common crimes. Section 112 FAA does not prohibit assistance, pursuant to Sec 502 FAA to units whose sole function is that aspect of internal security which may involve combat operations against insurgents or legitimate self-defense of national territory against foreign invasion, whether or not such units are called police. "Assistance is, however, prohibited to units which have an on-going civilian law enforcement function as well as a combat function. . . . The prohibition does not apply to units which have a contingency function of supporting the police but which do not have any on-going civilian law enforcement functions.

Thus, according to DOD's interpretation of the law, military forces which serve an unofficial, non-ongoing civilian law enforcement function, are not prohibited from receiving U.S. aid or assistance for police training purposes.

In many Latin American nations the military plays a large role in civilian law enforcement practices. Although these duties may not be an official ongoing part of the military's responsibilities, these civilian police activities are, in fact, often performed by the military forces.

In May 1970 the Foreign Affairs Committee issued the "Report of the Special Study Mission on Military Assistance

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Training (Latin America)," which contains information on the civilian law enforcement functions of the military in the four countries they visited. Excerpts from the report, which follow, indicate the extent to which the military is, indeed, involved in civilian law enforcement:

Brazil: "Internal security is considered a prime mission for nearly all armed forces units, particularly the Army. While civilian police forces have the primary responsibility for responding to threats of public disorder, they are backed up by military forces as required. . . ."

... "traditional role of the Brazilian military in frontier and interior areas where it has engaged a significant part of its manpower and other resources on projects from which civic benefits result."

... the Brazilian military's concept of professionalism does not include staying out of politics."

Peru: "As for internal security, the Peruvian armed forces have proved their capabilities by crushing swiftly and effectively a Castroite uprising. Most officers have received some American training in doctrines of counterinsurgency. The emphasis which the United States military missions have given to civic action has been readily acceptable to the Peruvian military. Their own service schools have constantly stressed the importance of the military role in the 'social and economic progress' of the country."

Colombia: "U.S. civic action doctrine also has been generally accepted by the Colombian military. Top generals are convinced that if the insurgents are to be kept within manageable bounds, the populace must know and trust the army as a friend and protector. Called 'a civic action army' by members of the milgroup, the Colombian Armed Forces are engaged in a number of projects aimed at benefiting rural citizens."

Panama: "The internal security capabilities of the National Guard (which includes all the services) have been adequate to cope with the small insurgency organized by supporters of deposed President Arias which periodically surfaces near the Costa Rican border. Our milgroup has promoted increased involvement of the Panamanian forces in civic action. . . ."

Just this week, events in Chile demonstrated the continuing law enforcement role often played by the military in Latin American countries. A military tribunal convicted 60 persons of essentially political crimes—sentencing four of them to death by firing squad—a stark example of how the military can easily become heavily involved in domestic criminal justice affairs.

All five of the countries mentioned above, whose military forces were involved in civilian law enforcement functions, are currently having troops trained at DOD's military training schools in the Canal Zone. The troops are being instructed in tactics which are easily adaptable, if not identical, to police functions, and which are of questionable relevance to legitimate military defense training. It is clear to me that the Department of Defense has taken advantage of the vague and imprecise wording of section 112 to instruct these military personnel in what are essentially police tactics.

Action needs to be taken to insure that the intent of Congress, with respect to police training, is fully carried out. Accordingly, section 112 of the Foreign Assistance Act should be refined to ban

explicitly the kinds of police training activities which are being carried out by the Army School of the Americas in the Canal Zone. My amendment would add the following paragraph to section 112, offering a more specific definition of police training programs:

AMENDMENT TO H.R. 1, OFFERED BY MR. HARRINGTON

Page 4, after line 27, insert the following new section:

Sec. 6. Section 112 of the Foreign Assistance Act of 1961 (22 U.S.C. 2151j) is amended by adding at the end thereof the following new subsection:

"(c) For the purposes of this section, the term 'police training or related program' shall include any training or instruction of any individual relating: (1) to that individual's performance of any law enforcement function in a governmental, municipal, part-time, or full-time capacity; or (2) to that individual's participation in any operation of a police, civilian militia, or intelligence nature in support of a government against any insurgent forces operating against such government. Notwithstanding the preceding sentence, this section shall not apply to any program which trains the military police of any of the armed forces of a foreign country solely for law enforcement activities within those armed forces."

This paragraph defines police training to include any training or instruction relating to an individual's participation in domestic law enforcement operations or domestic insurgency operations. It would deny police-related training to any individual who participates in such activities in any capacity—officially or unofficially, full time or part time. Adoption of this amendment would insure that the intent of Congress can no longer be circumvented by an interpretation of the law which excludes part-time police officers from the ban on police training in foreign countries.

My amendment makes no substantive changes in section 112. Rather, it defines the terms contained therein more precisely in order to avoid further misinterpretation and circumvention of congressional intent.

HOODWINKING—COAST TO COAST

HON. ROBERT E. BAUMAN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 31, 1974

Mr. BAUMAN. Mr. Speaker, many of us are being besieged by organized group pressure to vote in favor of the use of taxpayers funds to finance the election campaigns of candidates for Federal office. Last week one of the most respected newspapers in Maryland, the Aegis, of Bel Air, published an editorial published. "Hoodwinking—Coast to Coast" pointing out the fiscal impact of such proposals. A poll conducted by me in my congressional district earlier this year showed that response to the question "Do you think that tax dollars should be used by the Government to finance the campaigns of candidates for public office?" showed the following results; yes, 26 percent; no, 63 percent; undecided, 9 percent.

I think it is well for us in the House to consider this aspect of Federal financing of elections as we come to the consideration of reform of our election laws.

The article follows:

HOODWINKING—COAST TO COAST

Millions of Americans put a mark inside of a box on their income tax report this year, signifying their intent to place one dollar of their tax payment for the past year into the campaign treasury for future candidates for national office. Many more millions did not choose to do this, meaning that they had to pay a higher income tax than the others.

The idea to raise funds with such a small sum from many people to help prevent obvious abuses which have occurred in past elections, when large contributors received wholesale favoritism, is praiseworthy, but we still have doubts if the check-off on an income tax return is fair.

We certainly cannot believe that if, as the result of ten million individual returns signifying a desire to make a contribution to a political party, there has not been created a ten million dollar deficit in the federal budget. And who makes this up—the taxpayer who didn't wish to make the contribution, of course.

A far better way, it would seem, would have been for the political parties to spread the word about the importance of wholesale contributions by individuals and for the parties themselves to do the collecting, rather than Uncle Sam. Obviously, this method has long been available but it has not worked too well. It has usually been easier for a candidate to line up a few generous supporters, rather than scores of small ones.

And so, people in national office have decreed that this new opportunity be extended so that campaigners for national office will have heavier and wider backing. You and I pay and we're told it's a discount off our tax bill. But it really is an extra dollar for a contribution, just like the other guy's extra dollar for the national budget.

If there has to be a fair way to utilize the income tax return system, why not spell it out as an added dollar, over and above the income tax payment? Tell it like it is!

CARPOOLING FOR MINORITY SUB-URBAN WORKERS URGED

HON. ROBERT O. TIERNAN

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 31, 1974

Mr. TIERNAN. Mr. Speaker, I would like to commend the Planning Division of the Rhode Island Department of Transportation for their "Plan for the Conservation of Transportation Energy." The program is composed of a much heralded employer-based carpool program, plans for fringe parking construction and improvements to mass transit. It is financed by a \$400,000 grant from the Federal Highway Administration.

It must be pointed out that regardless of oil company efforts to convince us otherwise, there is still a compelling need to conserve fuel; and there will always be a need to improve air quality in urban areas. The plan delineated by the Rhode Island DOT is a necessary and important step towards that end. I would recommend that anyone interested in this program contact either Lee Taylor or Francis Dutra of the Department of Trans-